

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 19**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, ADOPTING
BY REFERENCE SECTIONS IN TITLE 3, BUILDING AND CONSTRUCTION
STANDARDS, OF THE SPOKANE COUNTY CODE AS AN INTERIM BUILDING AND
CONSTRUCTION REGULATION OF THE CITY.**

WHEREAS, the City of Liberty Lake will incorporate on August 31, 2001; and

WHEREAS, the City of Liberty Lake needs to have an enforceable building and construction standards code in effect on the date of incorporation; and

WHEREAS, the City intends to embark on a comprehensive planning process including revisiting adopted interim codes after the date of incorporation when additional planning staff are available to the City;

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. Authority to Adopt Interim Building and Construction Code. Pursuant to RCW 35.21.180, 35A.11.020, 35A.21.160 and RCW 19.27.031, the City adopts by reference Chapters 3.01, 3.02 and 3.03 of the Spokane County Code (Exhibit A, hereto), as presently constituted or hereinafter amended, as the Interim Building and Construction Standards Code. Exhibit A is hereby incorporated by reference as if fully set forth herein.

Section 2. Adoption of Administrative Rules. Pursuant to Chapter 3.02 of the attached Title 3, Building and Structures, there are hereby adopted by reference any and all implementing administrative rules and enforcement remedies now in effect regarding building and construction standards that have been adopted pursuant to Spokane County Code Chapter 3.02 Organization and Enforcement, or elsewhere in the Spokane County Code except that, unless the context requires otherwise, any reference to the "County" or to "Spokane County" shall refer to the City of Liberty Lake, and any reference to County staff shall refer to the City Mayor or designee.

Section 3. Adoption of Certain Other Laws. To the extent that any provision of the Spokane County Code, or any other law, rule or regulation referenced in the attached Building and Construction Code, is necessary or convenient to establish the validity, enforceability or interpretation of the Building and Construction Code, then such provision of the Spokane County Code, or other law, rule or regulation is hereby adopted by reference.

Section 4. Reference to Hearing Bodies. To the extent that the attached Building and Construction Code refers to planning commissions, board of appeals, hearing examiner, or any

other similar body, the City Council shall serve in all such roles, but retains the right to establish any one or more of such bodies, at any time and without regard to whether any quasi-judicial or other matter is then pending.

Section 5. Uniform Code - - Copies on File. The City Clerk is to maintain one copy on file of the code adopted by this ordinance.

Section 6. Liability. The express intent of the City of Liberty Lake is that the responsibility for compliance with the provisions of this ordinance shall rest with the permit applicant and their agents. This ordinance and its provisions are adopted with the express intent to protect the health, safety, and welfare of the general public and are not intended to protect any particular class of individuals or organizations.

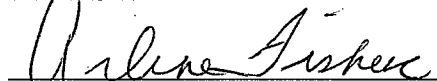
Section 7. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 8. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary, and on the date of incorporation.


PASSED by the City Council this 2 day of July 2001.


Mayor, Steve Peterson

ATTEST:


Interim City Clerk, Arlene Fisher

APPROVED AS TO FORM:


Interim City Attorney, Stanley M. Schwartz

Date of Publication: 7/12/01

Effective Date: Date of Incorporation

City of Liberty Lake
P.O. Box 370
Liberty Lake, WA 99019
(509) 755-6702

**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 19 passed by the City of Liberty Lake City Council on the 2nd day of July, 2001.

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE,
WASHINGTON, ADOPTING BY REFERENCE SECTIONS
IN TITLE 3, BUILDING AND CONSTRUCTION CODE OF
THE SPOKANE COUNTY CODE AS THE INTERIM
BUILDING AND CONSTRUCTION REGULATION OF THE
CITY.**

The introductory paragraphs state the necessity of building and construction codes and that this ordinance will be revisited after the date of incorporation.

Section 1 of the Ordinance establishes the authority of the City to adopt an interim building code including Sections 3.01, 3.02 and 3.03 of the Spokane County Code by reference.

Section 2 provides for adoption of administrative rules.

Section 3 provides for adoption of certain other laws referenced in the attached building and construction code.

Section 4 establishes that the city council shall serve as hearing bodies referred to in the attached fire code.

Section 5 provides that a copy of the fire code will be maintained by the city clerk.

Section 6 establishes that responsibility for compliance with the code rests with the permit applicant and their agents.

Section 7 establishes a severability clause in the event some portion of the Ordinance is held invalid.

Section 8 states this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary, and on the date of incorporation.

The full text of the Ordinance is available at the Interim City of Liberty Lake City offices as identified above. A copy will be mailed out upon request.



Arlene Fisher
Interim City Clerk

Published:

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.01 PURPOSE AND COMPOSITION

3.01.010 Title.

The regulations contained within this title shall collectively be known as Title 3 of the Spokane County Code and may be referred to as "this title." (Res. 96-0744 Attachment A (part), 1996; Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*Chapter 3.01 PURPOSE AND COMPOSITION

3.01.030 Adoption of the state building code.

Those codes as set forth in RCW 19.27 and 19.27A and as modified by Chapters 51-11, 51-13, 51-16-030, 51-19, 51-30, 51-22, 51-34, 51-25, 51-26, and 51-27 WAC, or their successor pursuant to 19.27.074 RCW, and this title are adopted as the minimum regulations of the county governing buildings and structures, and shall have the same force and effect as if fully set forth herein. Use of the word "minimum" throughout this title and the codes adopted herein is not intended to imply that additional requirements may be applied absent approved standards or regulations requiring such. These codes include:

- (a) The Uniform Building Code and the Uniform Building Code Standards as published by the International Conference of Building Officials; hereinafter referred to as the Uniform Building Code (UBC) and/or the Uniform Building Code Standards (UBC Standards).
- (b) The Uniform Mechanical Code including Chapter 13, Fuel Gas Piping, Appendix B, as published by the International Conference of Building Officials; hereinafter referred to as the Uniform Mechanical Code (UMC).
- (c) The Uniform Fire Code and the Uniform Fire Code Standards as published by the International Fire Code Institute; hereinafter referred to as the Uniform Fire Code (UFC) and the Uniform Fire Code Standards (UFC Standards).
- (d) 1991 Edition of the Uniform Plumbing Code and Uniform Plumbing Code Standards as published by the International Association of Plumbing and Mechanical Officials; hereinafter referred to as the Uniform Plumbing Code (UPC).
- (e) The most current edition of the Washington State Energy Code and most current edition of the Ventilation and Indoor Air Quality Code promulgated by the State Building Code Council according to statute, hereinafter referred to as the WSEC and VIAQC, respectively. (Res. 96-0744 Attachment A (part), 1996: Res. 92-1518 (part), 1992: Ord. 91-0997, 1991; Res. 90-0415 Attachment A (part), 1990)

EXHIBIT A

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.02 ORGANIZATION AND ENFORCEMENT

3.02.010 Creation of enforcement agency.

Pursuant to Section 104.1 of the Uniform Building Code, the director of the county division of building and planning is designated as the building official for the county and is authorized to enforce the provisions of this title.

Recognizing the authority and responsibility vested in the building official per Section 106.4 of the Uniform Building Code, he is authorized to promulgate such rules, policies and/or procedures as he deems necessary to carry out the intent of this title and to provide for the efficient operation of the permit process as administered by the division of building and planning. In so doing, the building official may, from time to time, and notwithstanding other penalty provisions of this title:

(a) Record with the county auditor's office notices of building permit activity regarding a specific site which after reasonable efforts in working with a property owner is not brought into conformance with the provisions of this title, or notices and orders as called for under the Dangerous Buildings Code.

(b) Call upon the county sheriff to assist in the enforcement of this title. The sheriff or his designee is authorized to issue criminal citations for violations of this title when requested by the building official. (Res. 96-0744 Attachment A (part), 1996: Res. 92-1518 (part), 1992: Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.02 ORGANIZATION AND ENFORCEMENT

3.02.020 Division of building and planning--Code enforcement division hearings--General.

Section 105, Board of Appeals, of the Uniform Building Code and all references to board of appeals contained within Section 110 of the UMC and Section 103.1.4 of the UFC and/or other codes and/or ordinances adopted by this title shall be amended to read as follows:

a. Construction Review Board -- Purpose. In order to hear and decide appeals of orders, decisions or determinations made by the review officer relative to the application and interpretation of the codes adopted by this Title, there shall be and is hereby created a Construction Review Board; hereinafter referred to as "the Board," consisting of members as identified in subsection (b) below, who are not employees of the jurisdiction, and who are appointed in accordance with subsection (c) below. The Board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Board be empowered to waive requirements of this code. The Board may advise the city and county Building Officials on such matters as they may bring before the Board.

b. Members. The Construction Review Board shall have six (6) members consisting of two (2) registered design professionals (architect or engineer) and four (4) representatives of the construction industry. The city Building Official and the county Building Official shall act as ex officio non-voting members.

The members shall elect a Chairman annually. The Chairman will be a non-voting member, except in the event of a tie.

c. Construction Review Board Appointment. The Mayor of the City of Spokane, subject to concurrence of the City Council, and the Board of County Commissioners shall each appoint one (1) registered design professional and two (2) representatives of the construction industry as members of the Board. All appointments shall be made from residents of Spokane County who are qualified by training and experience with expertise in building and associated codes. Members are appointed to staggered three-year terms. No persons shall serve two (2) consecutive terms, but may be reappointed after a three-year period. Vacancies are filled by appointment for the remainder of the term. Members who are appointed to a term which has less than two (2) years remaining may be reappointed for another full term.

d. Initial Appointments. The Board of County Commissioners shall appoint their initial members for the following terms: design professional -- three (3) years; first industry representative -- two (2) years; second industry representative -- one (1) year. The City Council shall appoint their initial members for the following terms: first industry representative -- three (3) years; second industry representative -- two (2) years, design professional -- one (1) year.

e. Construction Review Board Meetings. The Board shall hold meetings at the request of the city or county Building Official. All such appeals shall be on forms prescribed by the Board. Board members and appellants shall be notified of the meeting date seven (7) days in advance. The Board shall not meet more than twice monthly. A quorum is four (4). Upon receipt of any appeal, the Board shall hold a meeting giving notice as set forth herein. All hearings before the Board shall be informal. Appellants shall cause to be made at their own expense any tests or research required by the Board to substantiate their claims. The Board shall enter written findings of fact and decision. All meetings shall be held in accordance with the Open Meetings Act, Chapter 42.30 RCW.

f. Construction Review Board Decisions Final. Decisions of the Board are final and conclusive unless within ten (10) days from the date of the signing of the findings concerning decisions, the appellants or a party having standing makes application to a court of competent jurisdiction for a Writ of Certiorari.

g. Construction Review Board Rules and Regulations. The Board is authorized and directed to adopt rules and regulations for the conduct of its business.

h. Administrative Review. For the purpose of this ordinance, the city and county Building Officials shall be the Administrative Review officer.

The city Building Official shall review appeals of decisions made by the county Building Official, and the county Building Official shall review appeals of decisions made by the city Building Official. Such appeals shall only pertain to decisions made regarding building or construction related codes which have been adopted or are being enforced by either jurisdiction. The appeal shall be made to the Reviewing Official in writing within 10 calendar days of the written decision of the Building Official. The Reviewing Official may obtain such information from the parties as is necessary to render a decision. Any decision of the Reviewing Official may be appealed in writing to the Board within ten (10) days of the signing of the findings and decision, or said decision will become final.

i. Compensation/Reimbursement of Board Members. In an effort to keep the Board informed on code related matters, the Building Official may, from time to time, authorize the expenditure of funds to compensate/reimburse Board members or code books, meals, travel expenses, registration fees, and other reasonable costs which

might be incurred in conducting the business of the board, attending Board meetings, conferences, or educational seminars.

(Res. 96-0744 Attachment A (part), 1996: Res. 92-1518 (part), 1992: Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.02 ORGANIZATION AND ENFORCEMENT

3.02.030 Violation--Penalty.

The violation of any of the provisions of this title, the codes adopted herein, or the conditions of approval on a permit shall be a misdemeanor and shall be punishable, upon conviction, by a fine of not more than one thousand dollars or by imprisonment for not more than ninety days, or by both such fine and imprisonment. (Res. 96-0744 Attachment A (part), 1996; Res. 90-0415 Attachment A (part), 1990)

EXHIBIT A

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.03 UNIFORM BUILDING CODE

3.03.010 Appendices.

Pursuant to Section 101.3 of the UBC, Appendix Chapters 3-Division II, 4-Division II, 12-Division II, 15, 31-Division III and 33 as amended herein, are adopted as part of this title. (Res. 96-0744 Attachment A (part), 1996; Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.03 UNIFORM BUILDING CODE

3.03.020 Building permit requirements.

(a) General. Pursuant to Section 106.1 of the UBC, it shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, use or occupy any building or structure regulated by this code, except as specified in subsection 106.2 of the UBC, or cause the same to be done without first obtaining a separate permit for each building or structure from the building official.

(b) Application. For the purpose of this title, and the provisions of RCW 19.27.095(2) the requirements for a fully completed application for a building permit are delineated in Section 106.3.1 of the UBC. (Res. 96-0744 Attachment A (part), 1996: Res. 92-1518 (part), 1992: Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*Chapter 3.03 UNIFORM BUILDING CODE**3.03.021 Building permit classification.**

(a) Early Start Approval -- Intent. An early start approval as provided for in Section 106.4 of the UBC is not a building permit. Rather, it is an approval issued in conjunction with a standard building permit application which allows construction to commence prior to completion of plan review and issuance of the actual building permit. Generally, such approvals will only be granted during inclement weather or emergency situations; however, other special circumstances may arise under which an early start approval may be granted.

While an early start is intended to facilitate construction in abnormal situations beyond control of the owner/builder where time is of the essence, it is not intended to facilitate or expedite the review and approval of a project by other departments involved in the building permit process. Final approval of a proposed project by all applicable departments must be obtained prior to issuance of an early start approval. If applicable, State Environmental Policy Act requirements must also be met.

All requests for an early start approval must be in writing, must detail the reasons for the request and must be approved by the building official. Approvals will normally only be granted for the footing/foundation portion of a structure after a complete set(s) of building plans has been submitted and the footing/foundation portion has been approved by the division. Pursuant to Section 106.4 of the UBC, the holder of an early start approval shall proceed at his own risk without assurance that the permit for the entire building or structure will be granted. Completion of the plan review, payment of all fees as per Section 3.08.020(b) and issuance of the building permit for the structure is required prior to any further construction. Pursuant to Section 3.02.010 of this title, the building official may administratively develop procedures which modify these provisions.

(b) Fast Track Projects -- Intent. Fast track permits as provided for in Section 106.3.4.2 of the UBC allow for construction of a project to commence concurrent with and/or prior to a complete plan review by the building official.

While this system is intended to expedite the plan review requirements, it is in no way intended to imply expeditious review and approval of a project by other departments involved in the permit process, who may or may not have systems to accommodate a fast track building permit. Approval of a proposed project by all applicable departments must be obtained prior to the issuance of a fast track permit. If applicable, State Environmental Policy Act requirements must also be met.

All fast track projects must have full supervision by the architect or engineer of record for the project and documentation certifying such shall be supplied to the division prior to the release of any building permits. After submitting and receiving initial approval from the building official and final approval of the proposal from other applicable departments, future phases of construction and associated plans are coordinated and approved through the plan check section of the division. No work is to be accomplished beyond that specified on the approved plans prior to obtaining approval from the building official and in any case, all work must meet minimum code requirements prior to issuance of a certificate of occupancy. As such, revisions may be necessary in either the as-built project or proposed plans for the project should code problems surface during plan review. The county assumes no liability for any such revisions. Any agencies or laboratories performing special inspections on the project shall be identified prior to permit issuance. Upon completion of construction, the architect or engineer of record shall notify the building official in writing that any construction authorized by the building permit conforms to the codes adopted by this title and plans approved by the building official prior to the issuance of a certificate of occupancy.

Review and approval of the project and payment of all required fees as per Section 3.08.020(b) is necessary prior to the release of a permit. Construction concurrent with and/or prior to the completion of the plan review, will be authorized subject to:

- (1) Approval of site plan;
- (2) Approval of basic building plan and concept;
- (3) Approval of structural system;
- (4) Approval of all necessary groundwork; and
- (5) Payment of all fees prior to the issuance of the building permit.

Pursuant to Section 3.02.010 of this title, the building official may administratively develop procedures which modify these provisions.

(c) Change in Use. In addition to the requirements of Section 3405 of the UBC, a certificate of occupancy may be required and a change in use deemed to have occurred when the occupancy or use of a building has changed to the extent that different zoning or other county code requirements such as, but not limited to parking standards, ASA overlay zone requirements, 208 requirements, etc., apply. In order to make a determination as to whether the new use will be impacted by various codes and ordinances in effect, "change of use" permits will be required for all occupancy/use changes, and will be subject to the existing permit processes. Inspections made for the

express purpose of granting a certificate of occupancy will be made as safety inspections and charged at the rate specified in Section 3.08.020(d).

(d) Demolitions.

(1) Every building or structure or portion or remnants thereof remaining after fire, full or partial demolition, acts of nature, explosion, decay, or premature deterioration or other destructive forces which is found to be in noncompliance with the site cleanup requirements specified in subsections (d)(3) (A) -- (H) below shall be brought into compliance with these requirements, as applicable, within sixty days of written notice (certified mail) or, those responsible for such buildings or structures shall obtain permits necessary for reconstruction within sixty days of such notice.

(2) All buildings under demolition or remnants of buildings as mentioned in subsection (d)(1) above, shall have the site posted with no trespassing signs and otherwise protected from unauthorized access by the public.

(3) Permits for demolishing structures and buildings shall be conditioned as follows:

(A) Remove all floors, foundations, footings, basement and retaining walls to a minimum of eighteen inches below grade, or as otherwise required;

(B) Fill excavations and other cavities with noncombustible, inorganic material smaller than eight inches and cover with dirt or gravel so that broken concrete is not left exposed;

(C) Remove all sewage from existing cavities and fill with earth, sand, gravel or other approved material;

(D) Fill wells with gravel and rocks no larger than eight inches or install a concrete cap (lined wells only) of sufficient size and weight that it cannot easily be removed;

(E) Grade site so that surface is smooth and properly sloped for required drainage. Grading shall conform to existing neighboring grades on all sides;

(F) During demolition, water shall be used to control and reduce dust and its impact on neighboring properties;

(G) The site shall be left clean and in a safe condition; and in a properly graded condition subject to approval by the building official; and

(H) When demolition has been completed, the division shall be contacted, pursuant to Section 305 of the UBC, to inspect the site to ascertain compliance with this chapter. The fee for a demolition permit issued pursuant to Section 106 of the UBC shall be as specified in Section 3.08.020(c).

(4) All sites/buildings for which a demolition is planned shall be posted thirty days prior to commencement of demolition. Such postings shall include dates of planned demolition, and the name, address and telephone number of the building owner/representative to allow opportunity for the possible purchase/relocation of the building by interested parties. (Res. 96-0744 Attachment A (part), 1996: Res. 92-1518 (part), 1992: Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*Chapter 3.03 UNIFORM BUILDING CODE

3.03.030 Foundation requirements.

Pursuant to Section 1806.1 of the UBC, frost depth shall be a minimum of twenty-four inches below finished grade to the bottom of the footing. Where greater depth is indicated by a foundation investigation, or by conditions where ground will be uncovered or compacted, such greater depth shall be used.

EXCEPTION: Frost depth for detached Group U Occupancies and agricultural buildings shall not be less than eighteen inches. As to not undermine existing foundations, footings for additions to residences and attached garages may be placed at the same depth as the existing footings but in no case less than eighteen inches below finished grade.

In addition, a concrete slab of the thickness required by Section 1924 of the UBC may be used without the required footings for Group U, Division 1 occupancies not exceeding six hundred square feet in area when separated from a main building, provided the edge of said slab is twelve inches in width and twelve inches in depth. Alternative methods of construction for footings and foundations on detached Group U, Division 1 buildings may be authorized by the building official. (Res. 00-0462 Attachment A § 1, 2000; Res. 96-0744 Attachment A (part), 1996; Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*Chapter 3.03 UNIFORM BUILDING CODE

3.03.040 Design loads.

(a) Snow Loads. Pursuant to Section 1605.4 of the UBC, the basic minimum snow load for the county is established as thirty pounds per square foot except as otherwise provided for in this title. Snow loads shall be determined by the building official in all cases where the minimum figure hereby established appears inadequate. Such determinations shall be based on analysis of local climate and topography and the publication Snow Load Analysis for Washington as published by the Structural Engineers Association of Washington.

Snow loads for agricultural buildings shall conform to the thirty pounds per square foot minimum as set forth herein, except that the roof loading factor used in such calculations may be reduced to 0.60 instead of the 0.80 factor used for other buildings. (Res. 96-0744 Attachment A (part), 1996; Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*Chapter 3.03 UNIFORM BUILDING CODE

3.03.050 Inspections.

(a) Lot Lines and Setback Lines. Notwithstanding the authority of the building official to administer and enforce the UBC, no duty to verify or establish lot lines or setback lines is created by virtue of inspections conducted pursuant to Section 108 of the UBC and none shall be implied. The location of lot lines and/or setback lines and construction related thereto shall be the responsibility of the applicant/owner. The building official may require a survey to verify that appropriate setbacks have been met. (Res. 96-0744 Attachment A (part), 1996: Res. 92-1518 (part), 1992: Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.03 UNIFORM BUILDING CODE

3.03.060 Site cleanup.

Upon completion of a construction project, or portion thereof, and prior to final approval or issuance of the certificate of occupancy, the permittee shall remove, or cause to be removed to an authorized disposal site, any noxious, hazardous or other waste material which has accumulated on the site during construction and the site shall be left in a clean, safe and properly graded condition subject to approval by the building official. (Res. 96-0744 Attachment A (part), 1996; Res. 92-1518 (part), 1992; Res. 90-0415 Attachment A (part), 1990)

Title 3 BUILDINGS AND STRUCTURES*

Chapter 3.03 UNIFORM BUILDING CODE

3.03.090 Severability.

If any section, sentence, clause or phrase of this chapter should be held invalid or unconstitutional, the validity or constitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter. (Res. 96-0744 Attachment A (part), 1996: Res. 90-0415 Attachment A (part), 1990)